

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application No. 09/976,536  
Applicant(s): Jason T. Griffin  
Filed: October 12, 2001  
Group Art Unit: 2629  
Examiner: KIMNHUNG T NGUYEN  
Title: Dual-Mode Mobile Communication Device  
Confirmation No.: 2444  
Docket No.: 1578.025 (10120-US-CIP2)  
Customer No.: 44208

Mail Stop Amendment  
Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**REQUEST FOR REFUND OF FEES**

Dear Sir:

The undersigned attorney-of-record requests refund of fees submitted pursuant to an extension of time request requested under 37 CFR 1.116. The extension of time was requested to respond to an Office Action dated 27 May 2009.

This request is made for the reason that the USPTO did not mail the Office Action to the Applicants' address of record.

The Applicants' address of record on 27 May 2009, was the address associated with customer number 54120. The address associated with customer number 54120 is:

Research In Motion, ATT: Glenda Wolfe, Building 6, Brazos East, 5000 Riverside Drive, Irving, Texas 75039.

Review of document retrieved from PAIR indicate that the Office Action was mailed to an address associated with customer number 54210 not customer number 54120.

The Applicants were not aware of the mailing of the Office Action and did not timely receive the Office Action.

The undersigned became aware of the Office Action when personnel of the office of the undersigned searched on the Patent Office's PAIR system to inquire of the status of the patent application.

For the reason that the Patent Office mailed the Office Action to an incorrect address, the Applicants did not timely receive the Office Action.

Therefore, refund of the 37 CFR 1.136 fee of \$1110.00 is requested.

Respectfully submitted,

/Robert H. Kelly/

Date: November 24, 2009

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Registration No. 33,922

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